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PROPOSED COUNSEL FOR THE DEBTORS

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

In re:	§	Chapter 11
	§	
TBB DEEP ELLUM LLC	§	Case No. 25-30207-mvl11
	§	
Debtor.	§	Joint Administration Requested
In re:	§	Chapter 11
	§	
TBB BOARDWALK LLC	§	Case No. 25-30471-mvl11
	§	
Debtor.	§	Joint Administration Requested
In re:	§	Chapter 11
	§	
TBB NORTH ARLINGTON LLC	§	Case No. 25-30473-mvl11
	§	
Debtor.	§	Joint Administration Requested
In re:	§	Chapter 11
	§	
TBB STOCKYARDS FW LLC	§	Case No. 25-30474-mvl11
	§	
Debtor.	§	Joint Administration Requested
In re:	§	Chapter 11
	§	
TBB COPPELL LLC	§	Case No. 25-30472-mvl11
	§	
Debtor.	§	Joint Administration Requested
In re:	§	Chapter 11
	§	
TBB ABILENE LLC	§	Case No. 25-30470-mvl11
	§	
Debtor.	§	Joint Administration Requested

**DEBTORS' EMERGENCY MOTION FOR JOINT ADMINISTRATION**

TO THE HONORABLE MICHELLE V. LARSON, U.S. BANKRUPTCY JUDGE:

COME NOW TBB Deep Ellum LLC; TBB Boardwalk LLC; TBB North Arlington LLC; TBB Stockyards FW LLC; TBB Coppel LLC; TBB Abilene LLC (the “Debtors”), the debtors and debtors-in-possession in the above-captioned bankruptcy cases (the “Bankruptcy Cases”), and files this their *Emergency Motion for Joint Administration* (the “Motion”), respectfully stating as follows:

**I. JURISDICTION & VENUE**

1. On January 21, 2025 (the “Deep Ellum Petition Date”), TBB Deep Ellum LLC filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Texas, Dallas Division (the “Bankruptcy Court”). On February 6, 2025 (the “Main Petition Date”), the remaining Debtors filed their voluntary petitions for relief under chapter 11 of the Bankruptcy Code with the Bankruptcy Court.

2. The Bankruptcy Court has jurisdiction over this matter under 28 U.S.C. § 1334. This Motion constitutes a core proceeding under 28 U.S.C. § 157(b)(2). Venue is likewise proper in this District and Division under 28 U.S.C. §§ 1408 and 1409.

**II. RELIEF REQUESTED**

3. By this Motion, the Debtors seek entry of an order, substantially in the form attached hereto (i) directing procedural consolidation and joint administration of the Bankruptcy Cases, and (ii) granting related relief. Specifically, the Debtors request that the Court maintain one file and one docket for all of the Bankruptcy Cases under the case TBB Deep Ellum LLC, 25-30207-mvl11 (the “Lead Case”) and that the cases be administered under a consolidated caption, as follows:

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

In re:	§	Chapter 11
	§	
TBB DEEP ELLUM LLC	§	Case No. 25-30207-mvl11
	§	
Debtors. <sup>1</sup>	§	Jointly Administered

4. The Debtors further request that the Court order that the foregoing caption satisfies the requirements set forth in section 342(c)(1) of the Bankruptcy Code.

5. The Debtors also request that the Clerk of this Court make separate docket entries in each of the above-captioned Bankruptcy Cases, except the proposed lead case, TBB Deep Ellum LLC, substantially as follows:

An order has been entered in accordance with rule 1015(b) of the Federal Rules of Bankruptcy Procedure directing joint administration for procedural purposes of the chapter 11 cases of each of the following: TBB Deep Ellum LLC (9389); TBB Boardwalk LLC (2035); TBB North Arlington (4658); TBB Stockyards FW LLC (1242); TBB Coppell LLC (7270); TBB Abilene LLC (5632). **All further pleadings and other papers shall be filed in and all further docket entries shall be made in Case No. 25-30207-mvl11.**

### III. BACKGROUND

6. A detailed background regarding the Debtors' businesses and the circumstances leading to the Bankruptcy Cases is set forth in the *Declaration of Jacob Burkett in Support of the Debtors' Chapter 11 Petitions and Requests for First-Day Relief* (the "Declaration"), filed contemporaneously and incorporated by reference as if fully set forth herein. No official

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<sup>1</sup> The Debtors in the Bankruptcy Cases, along with the last four digits of each Debtors' federal tax identification number are: TBB Deep Ellum LLC (9389); TBB Boardwalk LLC (2035); TBB North Arlington (4658); TBB Stockyards FW LLC (1242); TBB Coppell LLC (7270); TBB Abilene LLC (5632).

committee of unsecured creditors has been appointed in these Bankruptcy Cases. Further, no trustee or examiner has been requested or appointed in these Bankruptcy Cases.

#### **IV. ARGUMENTS AND AUTHORITIES**

7. Under Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 1015-1 of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas (the “Local Rules”), the Debtors request authorization to jointly administer the Bankruptcy Cases for procedural purposes only.

8. Bankruptcy Rule 1015(b) provides that the Court may order joint administration of bankruptcy estates if “two or more petitions are pending in the same court by a . . . debtor and an affiliate.” FED. R. BANKR. P. 1015(b). Similarly, the Local Rules provide that “[w]hen a case is filed for or against a debtor related to a debtor with a case pending in the Bankruptcy Court, a party in interest may file a motion for joint administration of the case.” N.D. Tex. L.B.R. 1015-1.

9. The Bankruptcy Code defines the term “affiliate” as, among other things, a “corporation 20 percent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by the debtor, or by an entity that directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor.” 11 U.S.C. § 101(2)(B). Here, all of the Debtors are owned and controlled by the same parent entity—THE BISCUIT BAR LLC. As set forth more fully in the Declaration, the Debtors are under common management and share identical ownership.

10. Joint administration of the Bankruptcy Cases for procedural purposes only will provide significant administrative convenience without harming the substantive rights of any party in interest. Many of the motions, hearings, and orders in these Bankruptcy Cases will affect all of the Debtors. Joint administration of the Debtors’ Bankruptcy Cases is also warranted because the

Debtors share many of the same parties-in-interest, each of whom will participate in the Bankruptcy Cases. Accordingly, cause exists for the joint administration of the Bankruptcy Cases, for procedural purposes only, under Bankruptcy Rule 1015(b). Joint administration for procedural purposes in these Bankruptcy Cases will promote both procedural and administrative efficiency and reduce administrative expense to the Estates by:

- a. Obviating the need for the Debtors to file duplicative motions and applications and for the Court to enter duplicative orders in each of these Bankruptcy Cases;
- b. Minimizing the burdens on witnesses and all parties-in-interest by sparing them from participating in identical hearings in separate cases;
- c. Avoiding the burdensome necessity of duplicating notices;
- d. Simplifying supervision of the administrative aspects of these Bankruptcy Cases by the Office of the United States Trustee for the Northern District of Texas; and
- e. Minimizing the fees and expenses associated with the proposed engagement of Munsch Hardt Kopf & Harr, P.C. as counsel for the Debtors by minimizing expense caused by duplication related to filing, copying, and service of pleadings

11. Joint administration will not affect the rights of any creditor or party-in-interest because the Debtors request joint administration for procedural purposes only. Notwithstanding joint administration, each creditor will be entitled to file a proof of claim against a particular estate, as the Debtors do not seek substantive consolidation of the Bankruptcy Cases.

12. The Debtors request that all orders, pleadings, papers and documents, except proofs of claim, lists, schedules, statements and monthly operating reports, be filed and docketed in the case number assigned to TBB Deep Ellum LLC, the Lead Case, bearing the proposed caption set forth above. All proofs of claim shall be filed and docketed under the case number representing the estate in which the claim is made, and a creditor of more than one estate shall file and docket

a proof of claim in each case to which a claim may be made, and only in the amount which the creditor may make a claim from that estate.

13. Based on the foregoing, the Debtors submit that the relief requested is necessary and appropriate, is in the best interests of their estates and creditors, and should be granted in all respects.

**V. PRAYER**

WHEREFORE, PREMISES CONSIDERED, the Debtors respectfully request that the Court (i) grant the Motion; (ii) direct the procedural consolidation of the Bankruptcy Cases; (iii) direct the Clerk of Court to make the proposed entry in all of the Bankruptcy Cases except the Lead Case; and (iv) grant such other and further relief as is just and proper.

RESPECTFULLY SUBMITTED this 7th day of February, 2025

**MUNSCH HARDT KOPF & HARR, P.C.**

By: /s/ Jacob King

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PROPOSED COUNSEL FOR THE DEBTORS

**CERTIFICATE OF SERVICE**

I hereby certify that, on February 7, 2025, true and correct copies of this Motion were electronically served by the Court's CM/ECF system on parties entitled to notice thereof through counsel and, additionally, that on the same day he caused true and correct copies of the Motion to be served by U.S. first class mail, postage prepaid, on the parties listed in the attached Service List

By: /s/ Jacob King

Jacob J. King